

Message Text

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72

ACTION EUR-25

INFO OCT-01 ADP-00 MBFR-03 SAJ-01 IO-13 ACDA-19 CIAE-00

DODE-00 PM-07 H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-15 USIA-12 RSR-01 NIC-01 /128 W

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R 221906 ZHJUN 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5870

AMEMBASSY BELGRADE

AMEMBASSY BUDAPEST

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY VIENNA

AMEMBASSY WARSAW

USMISSION BERLIN

USMISSION NATO BRUSSELS

UNCLAS SECTION 01 OF 02 BONN 08985

E. O. 11652: N/ A

TAGS: PFOR, GW. CZ

SUBJECT: FRG- CSSR TREATY

REF: BONN 07896

THE FRG- CSSR TREATY WAS INITIALLED, AS PLANNED, ON
JUNE 20. THERE FOLLOWS, IN AN INFORMAL EMBASSY TRANSLA-
TION, THE TEXT OF THE TREATY AND RELATED DOCUMENTS:

BEGIN TEXT:

TREATY ON MUTUAL RELATIONS BETWEEN THE FRG AND CSSR

THE FRG AND THE
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CSSR,

IN THE HISTORICAL AWARENESS THAT THE HARMONIOUS
LIVING TOGETHER OF THE OEPPLES IN EUROPE CONSTITUTES A
REQUIREMENT FOR PEACE,

DETERMINED TO PUT AN END TO THE DISASTROUS PAST IN THEIR RELATIONS, PARTICULARLY IN CONNECTION WITH THE SECOND WORLD WAR, WHICH CAUSED IMMEASURABLE SUFFERING FOR THE PEOPLES OF EUROPE,

RECOGNIZING THAT THE MUNICH AGREEMENT OF SEPTEMBER 29, 1938 WAS IMPOSED UPON THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC THROUGH THREAT OF FORCE,

IN VIEW OF THE FACT THAT IN BOTH COUNTRIES A NEW GENERATION HAS GROWN UP WHICH HAS A RIGHT TO AN ASSURED PEACEFUL FUTURE,

INTENDING TO CREATE LASTING FOUNDATIONS FOR THE DEVELOPMENT OF GOOD NEIGHBORLY RELATIONS

CONCERNED TO STRENGTHEN PEACE AND SECURITY IN EUROPE,

CONVINCED THAT PEACEFUL COOPERATION ON THE BASIS OF THE GOALS AND PRINCIPLES OF THE UN CHARTER CORRESPONDS BOTH TO THE DESIRE OF PEOPLES AND TO THE INTEREST OF PEACE IN THE WORLD,

HAVE AGREED AS FOLLOWS:

ARTICLE I

WITH REGARD TO THEIR MUTUAL RELATIONS (AND) IN ACCORDANCE WITH THIS TREATY, THE FRG AND THE CSSR CONSIDER THE MUNICH AGREEMENT OF 29 SEPTEMBER 1938 TO BE NULL AND VOID.

ARTICLE II

(1) THIS TREATY DOES NOT AFFECT LEGAL CONSEQUENCES FOR NATURAL OR JURIDICAL PERSONS RESULTING FROM THE LAW APPLIED DURING THE PERIOD FROM SEPTEMBER 30, 1938 TO MAY 9, 1945.

EXCLUDED FROM THIS PROVISION ARE THE EFFECTS OF ACTIONS WHICH, OWING TO THEIR INCOMPATIBILITY WITH THE FUNDAMENTAL PRINCIPLES OF JUSTICE, BOTH CONTRACTING PARTIES REGARD AS INVALID.

(2) THIS TREATY LEAVES UNAFFECTED THE CITIZENSHIP OF PERSONS, LIVING OR DEAD, WHICH RESULTS FROM THE LEGAL CODE OF EITHER OF THE TWO CONTRACTING PARTIES.

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(3) THIS TREATY, INCLUDING ITS DECLARATIONS CONCERNING THE MUNICH AGREEMENT, DOES NOT CONSTITUTE A LEGAL BASIS FOR MATERIAL CLAIMS BY THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC OR ITS NATURAL OR JURIDICAL PERSONS.

ARTICLE III

(1) IN THEIR MUTUAL RELATIONS AS WELL AS IN QUESTIONS OF GUARANTEEING SECURITY IN EUROPE AND IN THE WORLD, THE FRG AND THE CSSR WILL BE GUIDED BY THE GOALS AND PRINCIPLES LAID DOWN IN THE UN CHARTER.

(2) ACCORDINGLY, THEY SHALL, PURSUANT TO ARTICLES 1 AND 2 OF THE UN CHARTER, SETTLE ALL OF THEIR DISPUTES EXCLUSIVELY BY PEACEFUL MEANS AND THEY SHALL REFRAIN

FROM THE THREAT OF FORCE OR THE USE OF FORCE IN MATTERS
WHICH CONCERN EUROPEAN AND INTERNATIONAL SECURITY, AS
WELL AS IN THEIR MUTUAL RELATIONS.

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RSC-01 PRS-01 SS-15 USIA-12 RSR-01 NIC-01 /128 W

----- 027865

R 221906 Z JUN 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5871

AMEMBASSY BELGRADE

AMEMBASSY BUDAPEST

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PRAGUE

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ARTICLE IV

(1) IN ACCORDANCE WITH THE GOALS AND PRINCIPLES SET FORTH ABOVE, THE FRG AND THE CSSR CONFIRM THE INVIO-
LABILITY OF THEIR COMMON BORDER, NOW AND IN THE FUTURE, AND EACH UNDERTAKS TO RESPECT WITHOUT LIMITATION THE OTHER'S TERRITORIAL INTEGRITY.

(2) THEY DECLARE THAT THEY HAVE NO TERRITORIAL CLAIMS OF ANY KIND AGAINST ONE ANOTHER AND THAT THEY WILL NOT RAISE SUCH CLAIMS IN THE FUTURE.

ARTICLE V

(1) THE FEDERAL REPUBLIC OF GERMANY AND THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC WILL TAKE FURTHER
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STEPS TOWARD A COMPREHENSIVE DEVELOPMENT OF THEIR

RECIPROCAL RELATIONS.

(2) THEY ARE AGREED THAT AN EXPANSION OF THEIR NEIGHBORLY COOPERATION IN THE FIELDS OF ECONOMICS, SCIENCE, SCIENTIFIC AND TECHNOLOGICAL RELATIONS, CULTURE, ENVIRONMENTAL PROTECTION, SPORT, TRANSPORT AND IN THEIR GENERAL RELATIONS IS IN THE INTEREST OF BOTH SIDES.

ARTICLE VI

THIS TREATY REQUIRES RATIFICATION AND WILL ENTER INTO FORCE ON THE DAY OF THE EXCHANGE OF INSTRUMENTS OF RATIFICATION, WHICH IS TO TAKE PLACE IN BONN.

IN WITNESS WHEREOF THE PLENIPOTENTIARIES OF THE CONTRACTING PARTIES HAVE SIGNED THIS TREATY.

DONE AT PRAGUE ON (BLANK) IN TWOHORIZONTAL COPIES, EACH IN THE GERMAN AND CZECH LANGUAGES, THE TEXT OF EACH LANGUAGE BEING EQUALLY AUTHENTIC.

FOR THE FRG

FOR THE CSSR

EXCHANGE OF LETTERS ON BERLIN - FRG LETTER

ON BEHALF OF THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY, I HAVE THE HONOR TO CONFIRM THE AGREEMENT ACHIEVED DURING THE NEGOTIATIONS THAT CONSISTENT WITH THE QUADRIpartite AGREEMENT OF SEPTEMBER 3, 1971 AND IN ACCORDANCE WITH THE ESTABLISHED PROCEDURES, THE VALIDITY OF ARTICLE II OF THE TREATY CONCERNING MUTUAL RELATIONS BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC WHICH HAS BEEN SIGNED TODAY IS TO BE EXTENDED TO BERLIN (WEST). CONSISTENT WITH THE QUADRIpartite AGREEMENT OF SEPTEMBER 3, 1971 AND IN ACCORDANCE WITH THE ESTABLISHED PROCEDURES, THE FEDERAL REPUBLIC OF GERMANY AND THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC INTEND TO AGREE IN EACH INDIVIDUAL CASE ON THE EXTENSION TO BERLIN (WEST) OF TREATIES WHICH RESULT FROM THE REALIZATION OF ARTICLE V OF THIS TREATY. I HEREBY REQUEST THAT YOU CONFIRM THIS AGREEMENT.

EXCHANGE OF LETTERS ON BERLIN - CSSR REPLY

ON BEHALF OF THE GOVERNMENT OF THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC, I HAVE THE HONOR TO CONFIRM RECEIPT OF YOUR LETTER OF TODAY'S DATE, WITH THE FOLLOWING TEXT:
(TEST OF FRG LETTER)

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THE GOVERNMENT OF THE CZECHOSLOVAKIAN SOCIALIST REPUBLIC CONFIRMS THIS AGREEMENT.

CZECH LETTER ON MATTERS OF CRIMINAL PUNISHMENT
TO THE FRG FOREIGN MINISTER:
DEAR MR. MINISTER:

ON THE OCCASION OF THE SIGNATURE TODAY OF THE TREATY BETWEEN THE CSSR AND THE FRG ON THEIR MUTUAL RELATIONS, I HAVE THE HONOR ON BEHALF OF THE GOVERNMENT OF THE CSSR TO INFORM YOU OF THE FOLLOWING:

OF THE CRIMES COMMITTED IN THE YEARS 1938-1945,
VALID CZECHOSLOVAKIAN LAW NOW PERMITS ONLY THOSE TO BE
PROSECUTED WHICH ARE PUNISHABLE IN ACCORDANCE WITH THE
CZECHOSLOVAKIAN CRIMINAL CODE, WHICH CARRY THE DEATH
PENALTY UNDER THE LAW, AND WHICH HAVE THE CHARACTERISTICS
OF WAR CRIMES OR OF CRIMES AGAINST HUMANITY IN THE SENSE
OF ARTICLE 6 (B) AND (C) OF THE STATUTE OF THE INTERNA-
TIONAL MILITARY COURT IN NUERNBERG. THERE IS NO STATUTE
OF LIMITATIONS FOR CRIMES OF THIS KIND.

IN ALL OTHER CASES, THE STATUE OF LIMITATIONS
BECAME EFFECTIVE AT THE LATEST IN 1965. THIS TREATY
DOES NOT CHANGE THIS SITUATION IN ANY WAY. END TEXT.
HILLENBRAND

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 15 APR 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 22 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BONN08985
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: n/a
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730636/dccbkacc.tel
Line Count: 232
Locator: TEXT ON-LINE
Office: n/a
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: BONN 07896
Review Action: RELEASED, APPROVED
Review Authority: kellerpr
Review Comment: n/a
Review Content Flags:
Review Date: 07 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07-Aug-2001 by maustmc>; APPROVED <20-Aug-2001 by kellerpr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 19990416
Subject: FRG- CSSR TREATY
TAGS: PFOR, GW. CZ
To: STATE
BELGRADE
BUDAPEST
HELSINKI
LONDON
MOSCOW
PARIS

PRAGUE
SOFIA
VIENNA
WARSAW
BERLIN
NATO BRUSSELS

Type: TE

Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005